

FISCAL IMPACT STATEMENT ON BILL NO. **H. 3028, as Amended**

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TO: The Honorable Glenn McConnell, Chairman, Senate Judiciary Committee  
FROM: Office of State Budget, Budget and Control Board  
ANALYSTS: R.J. Stein, Beth Quick  
DATE: March 20, 2008 SBD: 2008159

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AUTHOR: Representative Funderburk PRIMARY CODE CITE: 39-5-32  
SUBJECT: Unfair Trade Practice to Misrepresent the Identity of Food

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ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

\$0 (No additional expenditures or savings are expected)

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**BILL SUMMARY:**

House Bill 3028, as amended, amends Section 3-5-32 of the Code of Laws of South Carolina, 1976, relating to unfair trade practices. The Bill declares it an unfair trade practice to knowingly misrepresent the identity of a food product that is served, sold or offered for commercial distribution. The Bill also prohibits the labeling of a food product as a product of the State of South Carolina if the food is actually the product of another state, country or territory.

**EXPLANATION OF IMPACT:**

The Department of Agriculture and the Attorney General Office each indicates there would be either no impact or a minimal impact which could be absorbed within existing resources.

**SPECIAL NOTES:**

The Department of Agriculture operates the "Certified South Carolina" program which, upon the request of the producer, certifies that a fruit or vegetable was grown in South Carolina and meets certain quality standards. The Department also performs laboratory analysis of randomly purchased meat products to verify fat content and other labeled chemical constituents. However, the Department does not monitor or test food products for label or quality misrepresentations.

Approved by:



Harry Bell  
Assistant Director, Office of State Budget